

**BellSouth Telecommunications, Inc.**  
**Legal Department**  
1600 Williams Street  
Suite 5200  
Columbia, SC 29201

**Jeanette B. Mattison**  
Paralegal

803 401 2901  
Fax 803 254 1731

jeanette.mattison@bellsouth.com

November 12, 2003

The Honorable Bruce Duke  
Acting Executive Director  
Public Service Commission of SC  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: Analysis of Continued Availability of Unbundled Local Switching for Mass  
Market Customers Pursuant to the Federal Communication Commission's  
Triennial Review Order  
(Docket No. 2003-326-C)

Continued Availability of Unbundled High Capacity Loops at Certain Locations  
and Unbundled High Capacity Transport on Certain Routes Pursuant to the Federal  
Communication Commission's Triennial Review Order  
(Docket No. 2003-327-C)

Dear Mr. Duke:

Enclosed for filing are an original and fifteen copies of BellSouth Telecommunications Inc.'s Petition to Intervene in the above-referenced matters.

BellSouth believes that BellSouth and certain other entities already are parties to these proceedings. In an abundance of caution, however, BellSouth respectfully petitions the Public Service Commission of South Carolina ("the Commission") for permission to intervene as a formal party of record.

The Honorable Bruce Duke  
November 12, 2003  
Page 2

By copy of this letter I am serving AT&T, CompSouth, the Consumer Advocate and the Commission Staff with these pleadings as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick W. Turner". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Patrick W. Turner

PWT/nml

Enclosure

cc: F. David Butler, Esquire  
Elliott F. Elam, Jr., Esquire  
John J. Pringle, Jr., Esquire  
Robert E. Tyson, Jr., Esquire

512453

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NOS. 2003-326-C AND 2003-327-C**

IN RE:

Analysis of Continued Availability of	)
Unbundled Local Switching for Mass Market	)
Customers Pursuant to the Federal	)
Communication Commission's Triennial	)
Review Order (Docket No. 2003-326-C)	)
And	)
	)
Continued Availability of Unbundled High	)
Capacity Loops at Certain Locations and	)
Unbundled High Capacity Transport on	)
Certain Routes Pursuant to the Federal	)
Communication Commission's Triennial	)
Review Order (Docket No. 2003-327-C)	)
_____	)

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**PETITION TO INTERVENE**

In its *Order Setting Hearing Dates and Opening Dockets*,<sup>1</sup> the Public Service Commission of South Carolina ("Commission") took action on a letter jointly filed by BellSouth Telecommunications, Inc. ("BellSouth") and CompSouth requesting the Commission to consider a proposal for scheduling and conduct of the state proceedings required by the Federal

---

<sup>1</sup> Order No. 2003-667 in Docket Nos. 2003-326-C and 2003-327-C (November 7, 2003).

Communications Commission ("FCC") in its *Triennial Review Order*.<sup>2</sup> As a result, BellSouth believes that BellSouth and certain other entities already are parties to these proceedings. In an abundance of caution, however, and pursuant to S.C. Code Regs. 103-836, BellSouth respectfully petitions the Commission for permission to intervene as a formal party of record in the above-captioned proceedings. In support of this Petition, BellSouth shows as follows:

1. BellSouth is a public utility presently providing comprehensive telecommunications services to its subscribers pursuant to intrastate tariffs approved by the Commission.

2. BellSouth's authorized representative in these proceedings is:

Patrick W. Turner  
BellSouth Telecommunications, Inc.  
1600 Williams Street, Suite 5200  
Columbia, South Carolina 29201  
Telephone: (803) 401-2900  
Facsimile: (803) 254-1731  
E-mail patrick.turner@bellsouth.com

3. The Commission opened these proceedings in order to fulfill its "fact-finding role to determine whether impairment exists within the State of South Carolina and within local markets in South Carolina" as required by the FCC's *Triennial Review Order*. See *Order Setting Hearing Dates and Opening Dockets*, Order No. 2003-667 in Docket Nos. 2003-326-C and 2003-327-C at p. 2 (November 7, 2003).

---

<sup>2</sup> See, e.g., Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; and Deployment of Wireline Service Offering Advanced Telecommunications Capability*, 2003 WL 22175730 (F.C.C.), 30 Communications Reg. (P&F) 1 (Rel. August 21, 2003).

4. BellSouth has an interest in these proceedings and will be affected by the Commission's rulings in these proceedings because BellSouth is an incumbent local exchange carrier that is subject to the unbundling requirements of the federal Telecommunications Act of 1996.

5. BellSouth has not yet fully developed its position in these proceedings.

6. Permitting BellSouth as a party will not cause any undue delay.

WHEREFORE, based on the foregoing, BellSouth requests the following relief:

1. that it be allowed to intervene as a formal party of record in these proceedings by this Commission's granting its Petition to Intervene;

2. that any parties of record be directed to provide BellSouth with a copy of any pleadings, testimony and exhibits or any other filings made in these proceedings; and

3. that the Commission grant such other relief as it deems just and proper.

This 12<sup>th</sup> day of November, 2003.

Respectfully submitted,



---

Patrick W. Turner  
1600 Williams Street, Suite 5200  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY FOR BELL SOUTH  
TELECOMMUNICATIONS, INC.

512336

STATE OF SOUTH CAROLINA                    )  
  )     CERTIFICATE OF SERVICE  
COUNTY OF RICHLAND                        )


The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth Telecommunications, Inc.'s Petition to Intervene in Docket No. 2003-326-C and Docket No. 2003-327-C to be served upon the following this November 12, 2003:

F. David Butler, Esquire  
General Counsel  
S. C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
**(U.S. Mail and Electronic Mail)**

Elliott F. Elam, Jr., Esquire  
S. C. Department of Consumer Affairs  
3600 Forest Drive, 3<sup>rd</sup> Floor  
Post Office Box 5757  
Columbia, South Carolina 29250-5757  
(Consumer Advocate)  
**(U. S. Mail and Electronic Mail)**

John J. Pringle, Jr., Esquire  
Ellis Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, South Carolina 29202  
(AT&T)  
**(U. S. Mail and Electronic Mail)**

Robert E. Tyson, Jr., Esquire  
Sowell Gray Stepp & Laffitte  
1310 Gadsden Street  
Columbia, South Carolina 29211  
(CompSouth)  
**(U. S. Mail and Electronic Mail)**



Nyia M. Laney

PC Docs # 512354